

THE COMMONWEALTH OF AUSTRALIA.

NATIONAL REGISTRATION.

No. 11 of 1939.

An Act to provide for the taking of Censuses for the purpose of National Registration, for the establishment of a National Register, and for other purposes.

[Assented to 20th June, 1939.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

1. This Act may be cited as the *National Registration Act* 1939. Short title.
2. This Act shall come into operation on the day on which it receives the Royal Assent. Commencement.
3. In this Act, unless the contrary intention appears— Definitions.
 - “officer” includes the Executive Officer and any officer or employee, whether temporary or permanent, of the Commonwealth or of a State, who is declared by the Minister by notice in the *Gazette* to be an officer for the purposes of this Act, or whose office is so declared to be an office to which this Act applies ;
 - “the Board” means the National Register Board established under this Act ; and
 - “the Executive Officer” means the Executive Officer of the Board appointed under section five of this Act.

Appointment of
National
Register Board.

4.—(1.) The Governor-General may appoint a National Register Board, which shall have such powers and perform such duties as are conferred or imposed on it by this Act or the regulations.

(2.) The Board shall consist of a representative of the Department of Defence, who shall be Chairman of the Board, a representative of the Department of Supply and Development and the Commonwealth Statistician.

Executive
Officer of
Board.

5.—(1.) There shall be an Executive Officer of the Board who shall be appointed by the Governor-General and who shall, subject to the control of the Board, exercise and perform such powers and duties of the Board as it directs or as are prescribed.

(2.) The Executive Officer shall be appointed for a period not exceeding five years and shall be eligible for re-appointment :

Provided that the Executive Officer shall not be appointed for a period which will expire after he attains the age of sixty-five years.

(3.) The Executive Officer shall receive such remuneration as the Governor-General determines.

(4.) The Executive Officer shall not be subject to the *Commonwealth Public Service Act 1922-1937*.

(5.) Where a person appointed as Executive Officer in pursuance of this section was, immediately prior to his appointment, an officer of the Public Service of the Commonwealth, his service as Executive Officer shall, for the purpose of determining his existing and accruing rights, be taken into account as if it were service in the Public Service of the Commonwealth, and the *Officers' Rights Declaration Act 1928-1933* shall apply as if this Act and section had been specified in the Schedule to that Act.

Removal
from office.

6. The Governor-General may at any time remove the Executive Officer from office on the grounds of incapacity or misbehaviour.

Vacation of
office.

7. The Executive Officer shall be deemed to have vacated his office if—

(a) he becomes bankrupt, or applies to take the benefit of any Act or State Act for the relief of bankrupt debtors, or compounds with his creditors, or makes an assignment of his salary for their benefit ;

(b) except on leave granted by the Governor-General, he absents himself from duty for fourteen consecutive days or for twenty-eight days in any twelve months ; or

(c) he resigns his office and his resignation is accepted by the Governor-General.

Illness or
absence of
Executive
Officer.

8. In the case of the illness or absence of the Executive Officer, the Governor-General may appoint a person to act as Executive Officer and the person appointed shall, while so acting, have all the powers and perform all the duties of the Executive Officer and shall receive such remuneration as the Governor-General determines.

9.—(1.) The

9.—(1.) The Board or the Commonwealth Statistician may, in relation to any particular matters or class of matters, or to any particular State, Territory or part of the Commonwealth, with the approval of the Minister, by instrument in writing, delegate to any officer all or any of its or his powers and duties under this Act (except this power of delegation) so that the delegated powers and duties may be exercised by the delegate with respect to the matters or class of matters, or the State, Territory or part of the Commonwealth specified in the instrument of delegation.

Delegation by
Board or
Statistician.

(2.) Every delegation shall be revocable in writing, at will, and no such delegation shall affect the exercise or performance by the Board or the Commonwealth Statistician, as the case may be, of any power or duty.

10.—(1.) The Governor-General may enter into any arrangement with the Governor of any State providing for any matter necessary or convenient for the purpose of carrying out or giving effect to this Act, and in particular for—

Arrangements
with State
Governments as
to execution of
Act.

- (a) the execution by State officers of any power or duty conferred or imposed on any officer under this Act or the regulations ;
- (b) the collection by any State Department or officer of any information required for the purposes of this Act or the regulations ; and
- (c) the supplying of information by any State Department or officer.

(2.) All State officers executing any power or duty conferred or imposed on any officer under this Act or the regulations, in pursuance of any arrangement entered into under this section, shall for the purposes of the execution of that power or duty, be deemed to be officers under this Act.

11. Every officer of the Commonwealth or a State executing any power or duty conferred or imposed on any officer under this Act shall, before entering upon his duties or exercising the power, make before a Justice of the Peace, a Commissioner for Declarations or a Commissioner for Affidavits a declaration in the prescribed form.

Declaration by
officers.

12. An officer of the Commonwealth or a State shall not, except as allowed by this Act, divulge the contents of any form filled in in pursuance of this Act.

Officers to
observe secrecy.

13. The Board and the Commonwealth Statistician, and any officer of the Commonwealth or a State to whom any information obtained under this Act is made known in accordance with this Act or the regulations, shall not, unless the Minister certifies that it is necessary in the public interest that the information contained in any form filled in in pursuance of this Act or the regulations should be divulged, divulge the contents of any such form, and then only to the Minister or to such other officer or officers as the Minister directs :

Disclosure of
information.

Provided

Provided that the contents of any such form relating to property shall not be divulged to the Minister, and the Minister shall not direct that its contents be divulged to any officer other than the Commissioner of Taxation.

Keeping of
National
Register.

14.—(1.) There shall be a National Register, which shall be compiled and maintained in such form, and shall be kept in such manner, as the Board directs.

(2.) There shall be entered in the Register such particulars as are supplied to the Commonwealth Statistician under this Act.

Taking of
census.

15. A census or censuses of male persons or classes of persons who have attained the age of eighteen years and have not attained the age of sixty-five years and a census of property shall be taken in such States, Territories or parts of the Commonwealth and on such day or days or within such period or periods as the Governor-General by Proclamation directs.

Preparation and
issue of forms.

16.—(1.) The Commonwealth Statistician shall, subject to any Proclamation and to the directions of the Minister, prepare forms and instructions, and take all necessary steps, for the taking of any census directed to be taken under this Act.

(2.) The forms so prepared shall be made available at post offices and postal receiving offices throughout the Commonwealth, and at such other place or places as the Minister directs.

Persons
required to fill
in and supply
census forms to
Commonwealth
Statistician.

17.—(1.) Every person who is included among the persons or classes of persons of whom a census is directed to be taken under this Act shall—

(a) obtain, or cause to be obtained, the form which, for the purposes of the census, he is required to fill in;

(b) fill in and supply in the form, in accordance with the instructions contained in or accompanying it, all the particulars specified therein;

(c) sign his name to the form; and

(d) within the time specified in the Proclamation by which the census is directed to be taken, transmit the form to the Commonwealth Statistician in accordance with the instructions contained in or accompanying the form.

(2.) Every person who owns property of a value not less than the prescribed value shall fill in and furnish to the Commonwealth Statistician in accordance with the regulations a form or forms, in accordance with the form in the First Schedule to this Act setting out the particulars specified in that form.

(3.) Where a person to whom sub-section (2.) of this section applies is absent from Australia the agent (if any) of that person in Australia shall for the purposes of this section be deemed to be owner of the property of that person.

(4.) Without limiting the operation of the provisions of sub-section (3.) of this section, where shares in or debentures of any company are owned by persons resident outside Australia, the secretary or other prescribed officer of the company shall, for the purposes of this section, be deemed to be the owner of the shares and debentures so owned.

18. The

18. The form which shall be used for the purpose of any census of persons or classes of persons directed to be taken under this Act shall be in accordance with the form in the Second Schedule to this Act.

Particulars to be specified in form.

19. For the purpose of any inquiries or observations necessary for the proper carrying out of this Act, all persons shall, when required by the Commonwealth Statistician or by any officer authorized in that behalf in writing by the Commonwealth Statistician, answer questions and produce documents within such time as the Commonwealth Statistician or the authorized officer thinks fit.

Power of officers to ask questions and require production of documents.

20. The Board, with the consent of the Minister, may, from time to time, require any person included among the persons or classes of persons who have been required to furnish particulars for the purpose of any census taken under this Act to fill in and furnish to the Commonwealth Statistician a form or forms in accordance with one or both of the forms in the Schedules to this Act setting out the particulars specified in the form or forms as at the date the requirement is made.

Fresh forms to be supplied as required.

21. Any male person who, after the taking of the first census under this Act—

Persons attaining eighteen years to fill in census form.

(a) attains the age of eighteen years ; or

(b) being not less than eighteen years, nor more than sixty-five years, of age, arrives in the Commonwealth or in a Territory of the Commonwealth for the purpose of residing therein for more than twelve months,

shall, within thirty days after his attainment of the age of eighteen years or within thirty days after the date of his arrival, as the case may be, obtain, fill in and furnish to the Commonwealth Statistician a form in accordance with that contained in the Second Schedule to this Act.

22. Any male person who has attained the age of eighteen years, or who, after the commencement of this Act, attains the age of eighteen years, and has not attained the age of twenty-one years shall, within thirty days of any change occurring in his address, notify that change of address in the prescribed manner.

Change of address to be notified.

23.—(1.) Any person who—

Offences.

(a) contravenes or fails to comply with any provision of this Act, or of any Proclamation, regulation or requirement made in pursuance of this Act ;

(b) is included among the persons or classes of persons required to furnish particulars for the purpose of any census taken under this Act and who fails to transmit to the Commonwealth Statistician within the time specified in the Proclamation by which the census is directed to be taken, a form filled in in accordance with the instructions contained in or accompanying it ;

(c) knowingly

(c) knowingly makes in any form or document filled in or supplied in pursuance of this Act, or in answer to any question asked of him under the authority of this Act, any statement which is untrue in any material particular ; or

(d) forges, or utters knowing it to be forged, any form or document under this Act,

shall be guilty of an offence.

(2.) The punishment for an offence against this Act shall, where no other penalty is provided, be a fine not exceeding Fifty pounds or imprisonment for a term not exceeding three months, or both.

(3.) A prosecution in respect of an offence against this Act shall not be instituted without the consent in writing of the Minister, or a person thereto authorized in writing by the Minister.

Census matter
to be sent free
by post.

24. All papers provided for by this Act or the regulations may be transmitted through the post free of charge, subject to any postal regulations, and all papers so transmitted, if duly addressed, shall, on proof of posting, unless the contrary is shown, be deemed to have been duly served on and received by the person to whom they were addressed on the day when in the ordinary course of post they should have been received at his address.

Onus of proof.

25. In any proceedings for an offence against this Act—

(a) the averment of the prosecutor contained in the information that the defendant is included among the persons or classes of persons specified in any Proclamation under this Act shall be deemed to be proved in the absence of proof to the contrary; and

(b) a certificate in writing signed by the Commonwealth Statistician, certifying that no form, filled in and signed by the defendant in accordance with this Act, has been received by the Commonwealth Statistician, shall be *prima facie* evidence that the defendant has failed to transmit the form to the Commonwealth Statistician.

Regulations.

26. The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for carrying out or giving effect to this Act and in particular for prescribing penalties not exceeding Fifty pounds or imprisonment for a term not exceeding three months or both for any offence against the regulations.

THE SCHEDULES.

THE SCHEDULES.

THE FIRST SCHEDULE.

WRITE CLEARLY.

COMMONWEALTH OF AUSTRALIA: NATIONAL REGISTER.

To be filled in by all persons (including corporate bodies and the agents of persons absent from Australia) who own or hold on trust property of a value exceeding (*here insert prescribed value*).

Name in full of person to whom this return applies—

(If an individual, write surname first in BLOCK LETTERS. State if Mr., Mrs. or Miss.)

Usual Postal Address of person to whom this return applies—

State
(If away from usual residence when filling in card, give address of usual residence.)

What was the approximate value of Real and Personal Property owned or held by you on 30th June, 1939, comprising :—

If return is made in respect of your own property, fill in column (A) but not column (B). If return is made in respect of property held on trust, property of a company or property of an absentee, fill in column (B) but not column (A).	(A)—On Own Account.	(B)—On Account of Other Persons, Companies or Absentees.
	£	£
Assets on 30th June, 1939		
1. Cash in hand		
2. Savings Bank Deposits		
3. Money at current account in Banks, &c.		
4. Fixed deposits in Banks, Building Societies, &c.		
5. Government and other Public Securities, &c.		
6. (a) Shares in companies		
(b) Debentures of Companies		
7. Amounts owing—(a) Mortgages on Land		
(b) Other Amounts		
8. Value of Stock-in-trade		
9. Value of Live Stock		
10. Value of Plant, including Machinery, Tools, Implements, Vehicles, Rolling Stock, &c., used for trade purposes		
11. Value of Furniture and Fittings used for trade purposes		
12. Value of Land Owned—		
If sole owner { Unimproved Value £		
Value of Improvements (including Buildings) £		
If not sole owner, Value of your Interests		
13. Net Value of Interests in Leases held—		
(a) From Private Persons		
(b) From the Crown		
14. Value of Share of Net Assets in Partnership or Syndicate undertakings		
15. Value of Househo'd Furniture and Effects and Personal Effects (including Vehicles and Plant used for other purposes than trade or occupation)		
16. Value of Interests as a Beneficiary in Trust Estates		
17. Value of Property not enumerated above, exclusive of Life Assurance and Friendly Society Policies		
TOTAL ASSETS		
Liabilities on 30th June, 1939		
18. Bank Overdraft		
19. Amounts owing on Mortgages on Land		
20. All other Amounts Owing		
TOTAL LIABILITIES		
Difference between Assets and Liabilities		

NOTE.—With respect to Trade Assets and Liabilities only, the particulars as per the latest balancing date on or after the 30th June, 1938, may be used for the purposes of this Form.

Signature and Address of the Person required to make the Return :—

Signature

Date

Address

WRITE CLEARLY.

COMMONWEALTH OF AUSTRALIA: NATIONAL REGISTER.

SURNAME..... CHRISTIAN NAMES.....

USUAL POSTAL ADDRESS..... STATE.....
(Block letters.)
(If away from usual residence when filling in card, give address of usual residence.)

COMMONWEALTH ELECTORAL DIVISION IN WHICH USUAL RESIDENCE IS SITUATED.....

1. Age last birthday..... years.

2. Country of birth of yourself.....

" " your father.....

" " your mother.....

* 3. Nationality—

British, natural born ☐ British, naturalized ☐

Place and date of }
 naturalization }

Foreign (state country).....

* 4. State whether ☐ ☐ ☐ ☐
 Never Married Married Widower Divorced

* 5. Dependent Relatives (if any)—Father ☐ Mother ☐ Wife ☐

Number of children under 16 years.....
 Number of other dependent relatives.....

* 6. My general health is Good ☐ Bad ☐ Indifferent ☐

7. If blind, deaf, dumb, crippled or otherwise maimed, state nature of disability—

* 8. GRADE OF OCCUPATION—

(a) **Employer** of labour other than domestic 1 ☐

(b) **Working on own account** but not employing labour .. 2 ☐

(c) **Employee** (including apprentices but **not** sustenance or relief workers)—

{ working at usual occupation 3 ☐

or

{ working at other than usual occupation 4 ☐

(d) **Unemployed (including Sustenance and Relief Workers)** .. 5 ☐

(e) **Others** (including pensioners, dependants, "retired", "independent means", &c.) .. 6 ☐

9. UNEMPLOYMENT—

(a) State total number of weeks unemployed in past 12 months.....

(b) If unemployed now, state period since last employed in any occupation (other than Sustenance or Relief Work)—

..... Months..... Weeks..... Days.

10. CRAFT OR OCCUPATION—

(i) State craft or individual occupation in which now engaged—

(ii) State any other skilled craft or occupation in which you have special skill or training—

No. 1.....

No. 2.....

11. INDUSTRY—

State branch of industry or profession in which now engaged—

* Where marked * enter a cross in appropriate square (one square only for each question except No. 5).

Date..... Signature.....

STATUTORY RULES.

1939. No. 55.

REGULATIONS UNDER THE NATIONAL REGISTRATION ACT 1939.*

I, THE DEPUTY OF THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *National Registration Act 1939*.

Dated this sixth day of July, 1939.

F. W. MANN

Deputy of the Governor-General.

By His Excellency's Command,

G. A. STREET

Minister of State for Defence.

NATIONAL REGISTRATION REGULATIONS.

1. These Regulations may be cited as the National Registration Regulations. Citation.

2. In these Regulations, "the Act" means the *National Registration Act 1939*. Definition.

3. The declaration to be made by officers in pursuance of section 11 of the Act shall be in accordance with the form of declaration contained in the Schedule to these Regulations. Declaration by officers.

4. For the purposes of sub-section (2.) of section 17 of the Act, the prescribed value of property shall be Five hundred pounds. Prescribed value of property.

5.—(1.) For the purpose of the census of property directed to be taken under the Act, every person who is required to fill in and furnish to the Commonwealth Statistician a form or forms in pursuance of sub-section (2.) of section 17 of the Act shall— Method of filling in and furnishing property census forms.

(a) obtain, or cause to be obtained, the form or forms which he is so required to fill in and furnish;

(b) fill in and supply in the form or forms, in accordance with the instructions contained in or accompanying it or them, all the particulars specified therein;

(c) except in the case of a company or other corporate body, sign his name to the form; and

(d) within the time specified in the Proclamation by which the census is directed to be taken, transmit the form or forms to the Commonwealth Statistician in accordance with the instructions contained in or accompanying it or them.

(2.) The form to be filled in and furnished by a company or other corporate body in accordance with the provisions of sub-section (2.) of section 17 of the Act shall be signed by the legal representative of the company or corporate body. For the purposes of this sub-regulation, the expression "legal representative" means, in relation to any company or corporate body, the secretary or manager, or a director or other principal executive officer of the company or corporate body.

* Notified in the *Commonwealth Gazette* on 6th July, 1939.

(3.) Where a person—

- (a) holds property on behalf of some other person; or
- (b) is the agent of a person absent from Australia,

he shall fill in and furnish a separate form in respect of the property of each of those persons.

(4.) Where the secretary or other prescribed officer of a company is required to fill in and furnish a form in respect of shares in or debentures of that company owned by persons outside Australia, he shall fill in and furnish a form separate from the form filled in and furnished in respect of the property of the company.

(5.) Where a company has no secretary, the manager, or where a company has neither a secretary nor a manager, a director, of the company shall be the prescribed officer of the company for the purposes of sub-section (4.) of section 17 of the Act.

6. A person required by section 22 of the Act to notify his change of address shall notify that change by obtaining from a post office or postal receiving office a card provided for the purpose and filling in and transmitting the card to the Commonwealth Statistician.

7. For the purposes of any census directed to be taken under the Act, the Commonwealth Statistician may prepare posters in relation to the census for display at post offices and postal receiving offices throughout the Commonwealth, and at such other place or places as the Minister directs.

8. The Commonwealth Statistician may prepare and make available at post offices and postal receiving offices envelopes for the transmission of papers or forms required by the Act or these Regulations to be filled in and transmitted to the Commonwealth Statistician.

9. The Commonwealth Statistician may prepare and furnish to Postmasters or persons in charge of postal receiving offices circular letters of instruction in relation to any census directed to be taken under the Act or matters arising therefrom.

10. All acknowledgments by Postmasters, or persons in charge of postal receiving offices, of papers or forms supplied by the Commonwealth Statistician for the purposes of the Act shall be on cards designed and made available by the Commonwealth Statistician.

11. Where it appears to the Commonwealth Statistician that forms required by the Act to be filled in have been incorrectly filled in, he may send circular letters of instruction in relation thereto to the persons who have filled in the forms.

THE SCHEDULE.

National Registration Act 1939.

Reg. 3.

DECLARATION BY OFFICER UNDER SECTION 11.

I, _____ of _____
being an officer executing powers and duties conferred and imposed upon me under the *National Registration Act 1939*, do solemnly and sincerely promise and declare that I will faithfully and to the best of my ability execute the powers

Notification
of change of
address.

Posters.

Envelopes.

Circular
letters to
Postmasters.

Acknowledg-
ment cards.

Circular
letters
regarding
forms
incorrectly
filled in.

and duties so conferred and imposed upon me, and that I will not desert from my duty, or refuse or wilfully neglect, without just cause, to perform the duties of my office, or wilfully or without lawful authority alter any document or form under the said Act, or wilfully sign any untrue document or form, or, except as allowed by the said Act, divulge the contents of any form filled in in pursuance of the said Act, or any information furnished in pursuance of the said Act.

Declared at _____ this
day of _____, 19 ____

.....
(Signature of officer.)

Before me—

.....
(Signature of Justice of the Peace, Commissioner
for Declarations or Commissioner for Affidavits.)